

US EPA RECORDS CENTER REGION 5



Prairie Avenue Leasing, Ltd.

Leasing Industrial * Warehousing Facilities
in Faribault, Minnesota

Bullet Points
to respond

The Honorable Amy Klobuchar
302 Hart Senate Office Building
United States Senate
Washington, DC 20510

April 14, 2011

Dear Senator:

On April 5th my wife Shirley Shaft and I met with your aide Leslie Kandaras to discuss the US Environmental Protection Agency's (US EPA's) decision not to delist the Nutting Truck & Caster Co. (now Prairie Avenue Leasing, Ltd.) from the National Priorities List. In 2009, we completed the remaining requirements agreed upon in 2008, and had made multiple attempts to get updates from US EPA on the progress that they were making in delisting the site with little or no response. As the former owners of the Nutting Truck & Caster Co. (Nutting), in Faribault, Minnesota, we were both surprised and disappointed to be called on March 24, 2011 by the EPA Region 5... Chicago and told that the site would not be delisted until the drinking water standards were met in all of the wells. From our perspective, this is an unreasonable request based on the history provided in this letter. We sincerely hope that you will be able to assist us in having the Nutting site delisted from the NPL.

Shirley and I are in our mid 70's and we need to sell the property which is 8.6 acres and could be redeveloped for light industrial use, which would bring additional jobs to the area. Most importantly, we do not want our children to inherit this problem that we have worked on for the past 32 years! We have completed every request made by the Minnesota Pollution Control Agency (MPCA) and the US EPA in a timely manner. Unfortunately we cannot sell the property or use it as collateral for bank loans until the site is delisted from the NPL. This is a small town and developers are not going to take the risks that larger industries and banks in the Twin Cities may take. We hope that you will be able to communicate our concerns to the US EPA and assist us in having this site both closed and delisted.

Janet Dalgleish, an environmental professional, who has worked with us since 1990 to remediate the groundwater, provided Ms. Kandaras with the attached figures and charts that describe the groundwater conditions and she also prepared the following history of the site.

A Brief History

In 1979 the MPCA informed Mr. Shaft that disposal of waste liquids in a seepage pond was no longer allowed. By 1980 the pond had been excavated and the area was backfilled with clean soil and paved to prevent infiltration of precipitation. All of the work was performed under the oversight of the MPCA. In September 1984 the site was placed on the Federal NPL based on the presence of trichloroethylene (TCE) in the groundwater. The state and federal environmental agencies wanted to make sure that the groundwater contamination did not impact the municipal well field. Following several groundwater studies, including a comprehensive study by the

MPCA, it has been concluded the TCE in the groundwater at the Nutting property has not adversely impacted the Faribault Municipal Well Field.

After multiple remedial investigations, Nutting installed a groundwater pump out system that began operation in 1987 and operated continuously for 17 years. In 2003, the pump out wells were turned off and the next year they were converted to monitoring wells. Groundwater monitoring ceased in 2007 after it was clearly established that the TCE plume was stable and the concentrations at the property boundary were at or near the Maximum Contaminant Limits (MCLs) for drinking water. This data was reviewed and confirmed in the US EPA's 2008 Five Year Review. The only recommendation made in the 2008 review was to establish institutional controls to prevent use of the groundwater. A restrictive covenant was filed with the property title documents in 2009. The 2008 Five Year Review stated, "Once satisfactory institutional controls are in place the MPCA will delist the Site for the PLP. Once the groundwater goals are met, the US EPA will propose to have the Site delisted from the NPL." In 2008, the MPCA provided permission to permanently seal all the wells because no additional sample collection was needed. The site was delisted from the MPCA's list of superfund sites the following year.


Recent Events

I have made numerous inquiries regarding the status of the US EPA's progress on delisting the site, but the only response had been 'we are working on it'. Last month Sheila Sullivan, the US EPA's Project Manager for this site, informed me that the US EPA's office in Washington DC has decided that groundwater quality goals must meet the Maximum Contaminant Limits for drinking water in monitoring wells throughout the plume before a site can be delisted. After 3 years of suggestions that the site would be delisted after the restrictive covenant was filed with Rice County, we were extremely dismayed to hear that the site would not be delisted.

The US EPA suggested that the site might be delisted if we collect another round of water samples. They did not know that MPCA had provided permission for us to seal the wells. This is not a reasonable request because the wells were completed in the bedrock. The cost of collecting any additional samples would be \$10,000 – \$20,000! According to Ms. Dalglish it is likely that the water quality in the wells that US EPA wanted us to sample has not changed. The TCE concentrations have reached a steady state level and will not change significantly for many more years whether or not the pump out system operates. Samples from wells near the source will continue to have elevated TCE concentrations for several decades as the residual TCE in the groundwater sediments slowly dissolve and move with the groundwater.

Additional sample collection will not change the fact that the TCE concentrations are slowly dissolving and biodegrading. Reinstalling the pump and treat system is not likely due to the high costs and limited benefit, if any. I urge you to please review our situation and assist us in having this site removed from the US EPA's National Priorities List.






Sincerely,

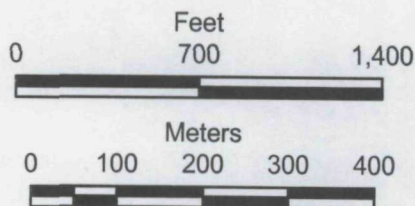

Stewart Shaft, Owner

*Mailing Address: 5720 115th St. East * Northfield, Minnesota 55057 * (507) 663-6056*



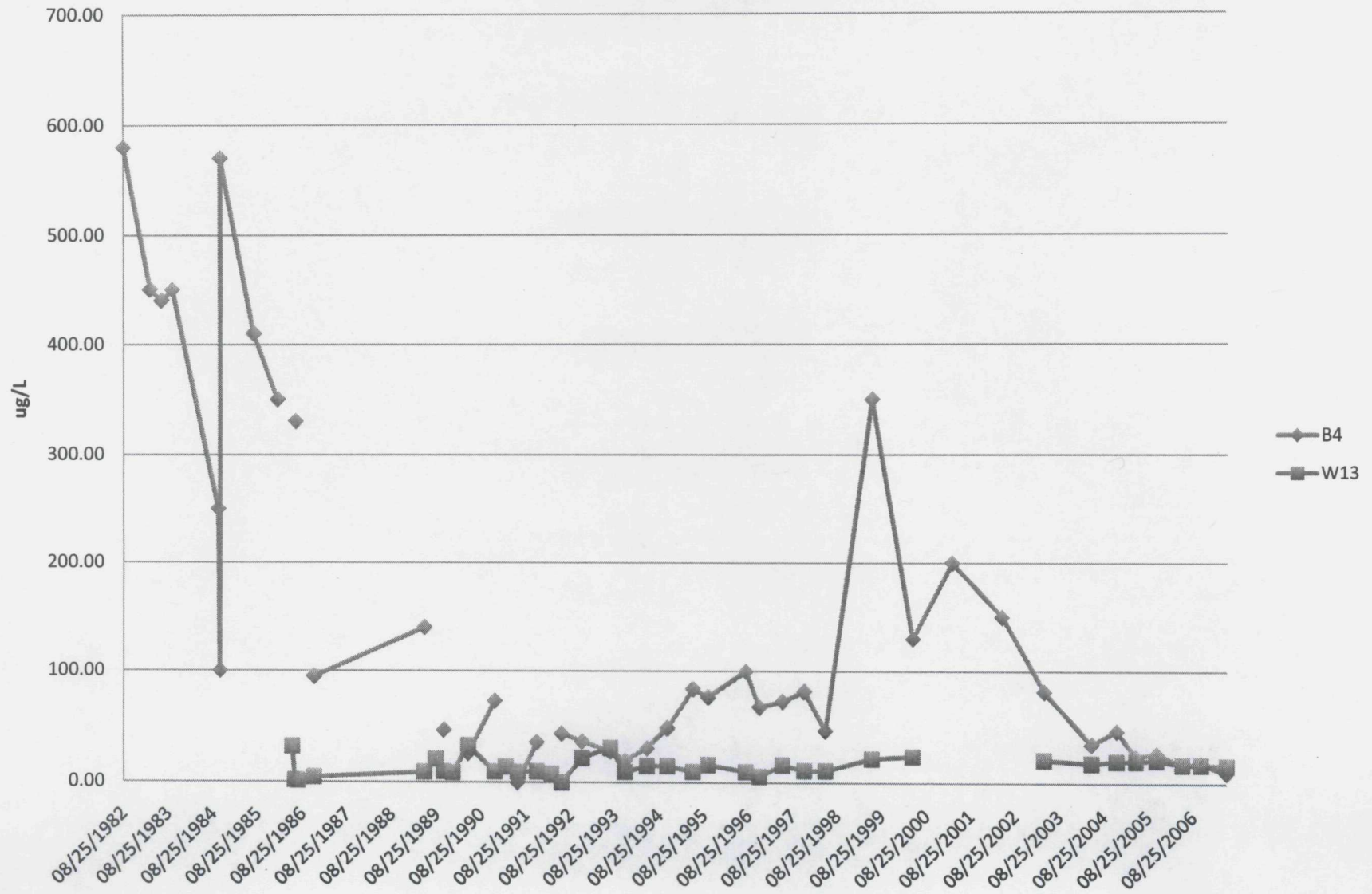
Imagery Source: 2003 FSA

-  Crocker's Creek Outfall Monitoring Point
-  Former Disposal Pit
- Aquifer**
-  Glacial
-  Prairie du Chien
-  St. Peter Sandstone

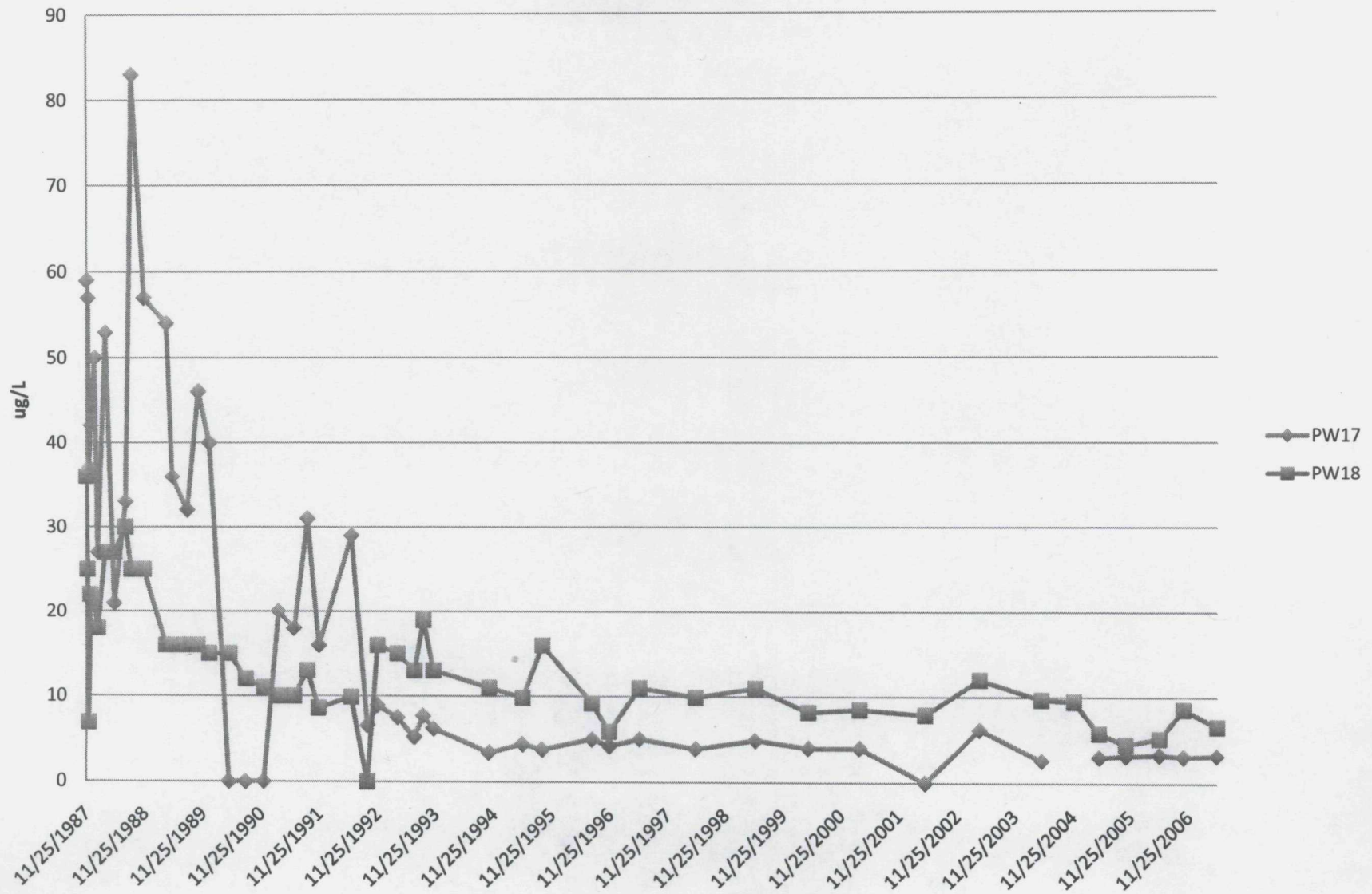


SITE MAP
Former Nutting Truck and Caster Co.
(Prairie Ave. Leasing Co.)
Faribault, MN

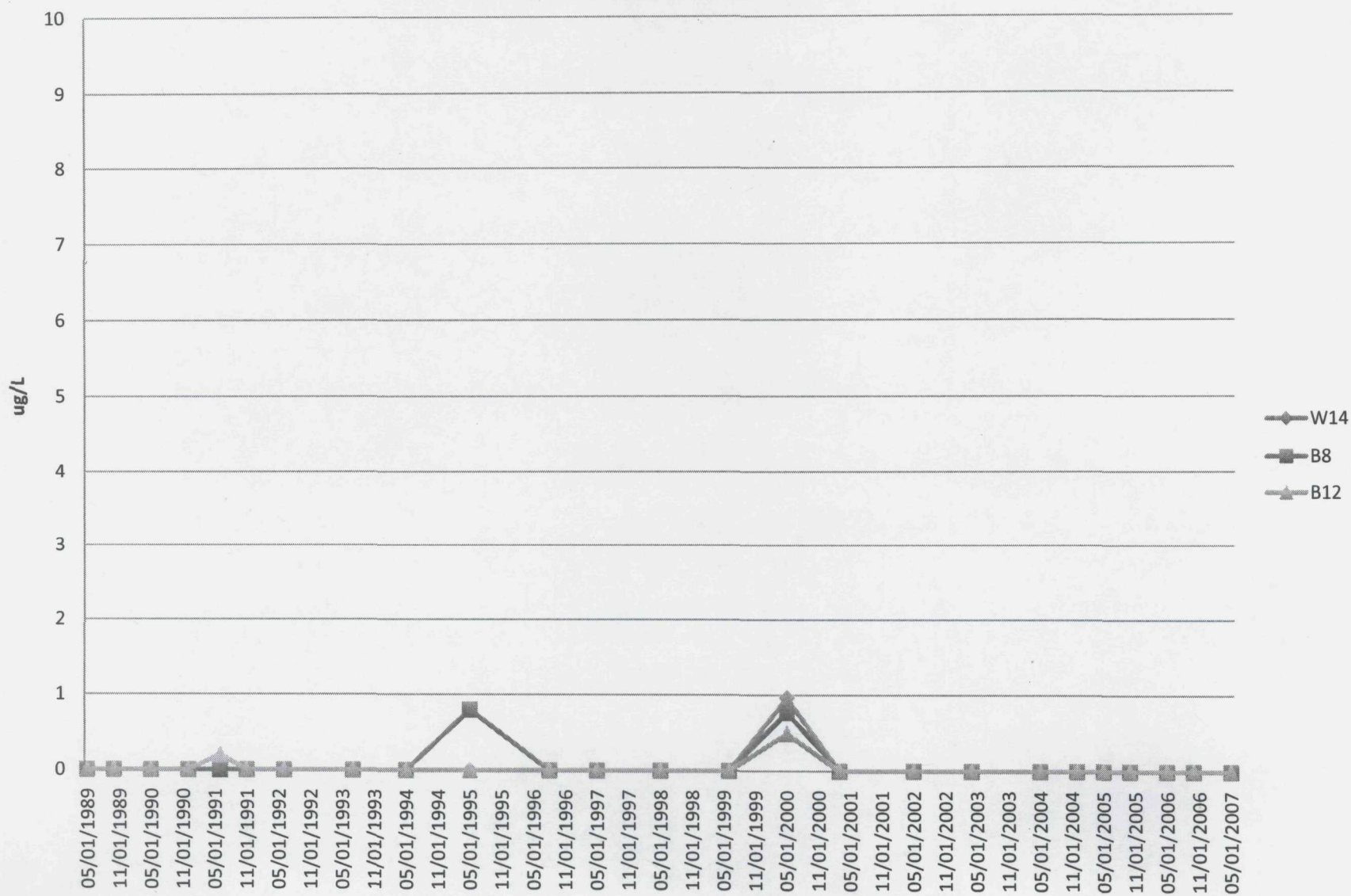
Near Source Wells TCE Concentrations



Pump Out Wells TCE Concentrations



Sentinel Monitoring Wells TCE Concentrations



U.S. SENATOR AMY KLOBUCHAR

1200 Washington Avenue South #250

Minneapolis, MN 55415

Phone: (612) 727-5220 Fax: (612) 727-5223

Toll Free (888) 224-9043

PRIVACY ACT RELEASE

The Privacy Act requires your written consent before a government agency will release information to our office regarding your records. To better serve you, please complete this form and return it to my Minnesota office. Please be aware that the person requesting assistance must sign this form.

Mr. X Mrs. Ms. Dr.

Name: Stewart N. Shaft

Mailing Address: 5720 E. 115th St.

City: Northfield State: MN Zip:

Phone (H): 507-663-6056 (W): (same) Cell: 507-649-1168
Primary Phone

Email Address: woodlandacres@yahoo.com

Date of Birth: March 23, 1936

Military or Veteran's Issues:

Social Security Number:

Rank/Unit: Duty Station:

Immigration Issues:

Receipt Number: Alien Number:

Type of Petition Filed: Current Status:

Consulate Involved:

Name and Contact Information of Interpreter (if any):

Social Security Issues:

Social Security Number: _____

Type of Claim Filed: _____

Initial Claim:	Pending: _____	Approved: _____	Denied: _____
Reconsideration:	Pending: _____	Approved: _____	Denied: _____
ALJ Hearing:	Pending: _____	Approved: _____	Denied: _____
Appeals Council:	Pending: _____	Approved: _____	Denied: _____

Please provide a detailed account of your situation. Use a separate sheet if necessary and provide copies of any relevant correspondence regarding this issue.

Region 5
Chicago

→ Poised for delisting in 2008 at a meeting w/
EPA at the site. Now national EPA wants us to
monitor (2) wells which were abandoned in 2008 to assure concentrations
are below standards.

Please state how you would like Senator Klobuchar to assist you.

(see following letter to be written)

Have you contacted another Congressional office? Yes _____ No ☒

If yes, which office have you contacted? _____

Are you working with an attorney in this matter? Yes _____ No ☒

If yes, please provide the attorney's name and contact information. _____

Can Senator Klobuchar's office contact your attorney? Yes _____ No _____

I hereby authorize the office of U.S. Senator Amy Klobuchar to access my records and act on my behalf with any and all agencies necessary to resolve the matters listed above.

Signature: [Signature] Date: 4/5/2011